



SOA-193 (80000-054)

08/941,832

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the Patent Application of

G. CHACON

Serial No. 08/941,832

Filed: **October 1, 1997**

For: ELECTRONIC KANBAN WORK-SHEET FOR THE DESIGN AND IMPLEMENTATION OF VIRTUAL OR ELECTRONIC KANBAN SYSTEM

Group Art Unit: 2123

Examiner: H. Jones

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SUPPLEMENTAL REPLY BRIEF

Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Supplemental Reply Brief under 37 C.F.R. 1.192 responding to the Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34).

REMARKS

Appellant acknowledges receipt of the Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34).

Appellant makes the following observations based on the Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34):

1. all 35 USC §112, second paragraph rejections are withdrawn;

2. the only remaining rejections are that claims 37-50 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U. S. Patent 5, 544, 348 to Umeda et al. (Umeda et al. '348) or by Seppanen, Kanban Simulator Using Siman and Lotus 1-2-3, IEEE Winter Simulation Conference Proceedings, 1993, 838-844 (Seppanen);
3. the examiner has not responded to the Board Remand Order dated April 25, 2003 (Paper No. 33) stating "If any of the section 102 rejections are to be maintained, an Answer must point out where all the specific limitations recited in the rejected claims are found in the prior art relied upon. For each rejection over the prior art, the examiner should align the language of the representative claim side by side with reference to the specific page, line number, drawing reference number and quotation from the prior art, as appropriate." See page 4, first full paragraph.

Regarding item 3, above, Appellant notes that the examiner has simply restated the rejection with respect to Umeda et al. '348 and Seppanen. See Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34) at page 7, lines 8-14 and at page 18, approximately lines 12-19. The examiner made no attempt to map the rejected claims with the applied references.

The remainder of the Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34) repeats the examiners' pretentious display of the rules of examination in an obvious attempt to obfuscate this Appeal.

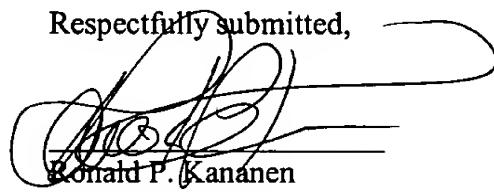
All sections of the Reply Brief filed November 13, 2001 remain in effect except those section mooted by the examiner's withdrawal of the §112 rejections and various withdrawal of the §102 rejections.

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Appellant submits that the final rejection of claims 37-50 as amended by the Examiner's Response to Board Remand dated October 22, 2003 (Paper No. 34) should not be sustained. Therefore, a reversal of the Final Rejection of January 3, 2001, as modified, as to claims 37-50, is respectfully requested.

Respectfully submitted,


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